

NEW YORK HERALD.

JAMES GORDON BENNETT,  
EDITOR AND PROPRIETOR.

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VOLUME XLII. No. 218

AMUSEMENTS THIS EVENING.

BROADWAY THEATRE, Broadway—Not a Bad Judge—The Practical Man—The Cornish Lesson.

KIRK'S GARDEN, Broadway—JEANETTE and JEANOT—CORN TENDER—PANTOMIME OF BORDAS.

ROBERTS THEATRE, Bowery—VIRGINIA—OLIVER TWIST—THE SEA.

BURTON'S THEATRE, Broadway, opposite Bond street—POSSIBLE—STOLEN CHILD—NEW YORK DICTIONARY.

WALLACE'S THEATRE, Broadway—MADON VERA—THE IRVING BOSS.

LAURA KERN'S THEATRE, Broadway—THE SEA OF ICE, OR A MOTHER'S PRAYER.

ACADEMY OF MUSIC, Fourteenth street—ITALIAN OPERA—RIGOLETTA.

NAO'S JUVENILE COMEDIANS, 444 Broadway—BEN BOLT—CHARMANT SPECTERS.

BARNUM AMERICAN MUSEUM, Broadway—Afternoon and Evening—ROAD OF LIFE.

WOOD'S BUILDINGS, 561 and 563 Broadway—GEORGE CURRIE & WOOD'S MINSTRELS—PETER PIPER PAPER BOYS.

MICHAELSON'S HALL, 42 Broadway—BRYANT'S MINSTRELS—LIFE AFTER DEATH—A COMIC HALL.

KEMPER HALL, 606 Broadway—PAINTINGS ILLUSTRATIVE OF THE KANSAS QUESTION.

New York, Wednesday, November 18, 1857.

The News.

The War Department received yesterday important despatches from the army for Utah, including Brigham Young's declaration of martial law in the Territory. A letter from Young to the commander of the advance of United States troops, Colonel Alexander's reply, and a letter from Colonel Johnston relative to the position of affairs. These important documents are given under the telegraphic head. Brigham Young expressly forbids the troops from entering Utah. The language of the proclamation is emphatically hostile to the United States, and must be regarded as an unequalled declaration of war.

Senator Yrissari was formally received at the White House yesterday as Minister from Nicaragua, and shortly after the presentation ceremony the treaty between that republic and the United States was signed by the new Envoy and the Secretary of State. The treaty provides for a free port at each end of the transit route; the United States guarantees the protection and neutrality of the route; the Transit is to be free to all nations; the United States reserves the right to transport the mails across the Isthmus. The usual stipulations of good will, commerce and navigation are appended to the instrument. None of the Transit companies are mentioned in the treaty.

The Wall street committee have nominated Daniel F. Tiemann for Mayor, in opposition to Fernando Wood. Mr. Tiemann was a sort of hybrid native American during the regime of Mayor Harper, but has latterly been identified with the democratic party. At present he holds the office of Almshouse Governor. He formerly represented the Twelfth ward in the Board of Aldermen, but is now, we believe, a resident of Manhattanville. Mr. Tiemann is by occupation a dealer in paints.

The banks of New Orleans have all resumed specie payments. When will our banks, now almost bursting with a plethora of coin, follow suit? The Executive Committee of the workmen were in session yesterday morning, for the purpose of receiving the reports of the various delegates from the several wards, and of completing their list of the unemployed. They subsequently waited on the Central Park Commissioners, but were refused admission to the meeting of the Board. Mr. Beier, on behalf of the committee, accordingly made a lengthy verbal report to the delegates, denouncing in unmeasured terms the commissioners, and wound up by proposing that the workmen assemble in their respective wards at seven o'clock this morning, and proceed to the Central Park en masse and demand work, and in case of their not being at once employed to set themselves at work on the ground. Much excitement was created among the delegates by Mr. Beier's speech. We learn that the Park Commissioners have arranged to employ one thousand hands. The men have been selected, and no more will be required.

The Board of Ten Governors met yesterday, and on motion of Mr. Gunther unanimously resolved to ask the city for an extra appropriation of \$50,000 to alleviate the distresses of the outdoor poor during the coming winter. At the present time there are 7,312 persons in the city charitable and criminal institutions, an increase of 1,391 as compared with the report of this time last year.

A man named Vincent, who kept a drinking saloon at Nos. 15 and 17 North William street, was killed last night in a scuffle which took place between him and three foreigners, who assaulted him with the intention of getting possession of some money which he had on his person. He was stabbed three times in the breast and died soon after. The murderers escaped with the money and not one of them has yet been arrested.

Sailor Dan, one of the young men charged with the murder of the old Swiss woman in Greenwich street, was yesterday arrested by the police. He was taken on board the Liverpool packet ship Emerald Isle, while she was lying in the stream waiting a change of tide to proceed on her voyage. All the parties implicated in the murder are now in custody.

A large meeting of the German Society took place last night at St. Matthew's church. The new by-laws were discussed, amended, and generally accepted. A long and interesting debate ensued on the President's salary, (\$2,500) which it was resolved to abolish, and divide among the poor. This, with the revision of the constitution, will, it is expected, make the association much more popular.

We have advices from Vera Cruz to the 7th inst. The bark Flash had sailed for New York with \$3,000 in specie. Large shipments of specie to Europe were being made. All decisions of ecclesiastical courts in civil and criminal cases had been declared void. Gen. Cortes had been arrested on his arrival at Vera Cruz in the steamer Tennessee, on board which vessel he was a passenger.

confirmed those persons who saw the shot fired and the accused run from the scene of the murder. The counsel for the prisoner did not make a formal opening, but proceeded with the testimony, which, up to the hour of adjournment, was the same as was given on the first trial.

In the Court of General Sessions yesterday, Judge Russell rendered his decision on a motion to appoint a special District Attorney to prosecute an indictment against Lippincott and Roberts for an alleged overuse of stock. The City Judge commended the course which District Attorney Hall had taken, and sent papers, charging counsel for the complainant with attempting to compound a felony, to the present Grand Jury. John B. Holmes was tried and convicted of forgery in the first degree in having signed his wife's name to a deed involving property in Albany. He will be sentenced on Saturday.

The cotton market was quiet yesterday. The lightness of stock tended to check sales, which were confined to 100 to 200 bales, in lots, while prices were unsettled. The decrease in receipts at all the Southern ports since the first of September last, is now ascertained to be about 235,000 bales, compared with the same period last year. The exports to Great Britain have increased 41,000 bales, and to France they have decreased 29,000, and to other foreign ports 1,000 bales, compared with the same period last year. Flour opened quiet steady, but closed rather dull at about the previous day's quotations, and with tolerably free sales, chiefly for the eastward, with some sales for export. Wheat was less buoyant, with fair sales, chiefly Western grades, at prices given elsewhere. Corn sold at 80c a sic, for Western mixed, with small sales reported at 81 1/2c. The market, however, closed rather heavy. Pork was heavy and sales moderate at \$19 50 a \$19 62. Sugar was in fair demand, with sales of about 500 a 600 hds., and 200 boxes at rates given in another column; the stock in this market was estimated at between 25,000 a 27,000 hds. The Messrs. Stuart have reduced the prices for their refined sugars about 1/2c. per lb. Coffee was steady, with limited sales. Freight was in fair request, and engagements were made to a moderate extent at unchanged rates, with a charter for Bristol and another for Trieste on terms stated in another place.

Kansas in a New Shape—Sweeping Comp.

The Kansas Pro-slavery Constitutional Convention, in the work which they have achieved, have exceeded all expectations and all conjectures. The prevailing opinion was that this Convention would frame a pro-slavery constitution and hurry it up to Congress, dispensing with a popular ratification. This proceeding, however, is but an incidental trifle in the programme which has been adopted; for this aforesaid Convention has completely superseded the regular federal and territorial authorities by a dictatorship of its own choosing.

This is a coup d'etat which nobody outside of the secret affiliations of this Convention could have anticipated. It is, in fact, a revolutionary movement, which puts the local affairs of Kansas in a more critical shape than any of the many other phases through which they have passed. It appears that the Solons of this aforesaid Convention have decreed:—

1. A strong pro-slavery State constitution, which is not to be referred to the people.
2. A separate reference of the slavery question to a vote of the people, which will not affect the slavery provisions of the constitution in the slightest degree neither one way nor the other.
3. That Gov. Walker is deposed.
4. That the regular Territorial Legislature is superseded.
5. That a regency or provisional government is established, with dictatorial powers, of which Mr. John Calhoun is the chief, under the title of Governor, and that this regency is to go into operation immediately.

Now, this beats the Topeka government of Generals Lane and Robinson all hollow. It surpasses anything that we have seen of the political pretensions of Brigham Young; for, with all his assumptions of divine right and squatter sovereignty, he has never so flatly repudiated the supreme authority of the general government as these Lecompton constitution makers. Their proceedings are without a parallel, and there is nothing like a precedent for them in the case of any other Territory of the Union, past or present. On the contrary, the federal constitution, the organic law of Kansas, all popular rights, and Territorial forms and usages, are boldly set at defiance by these Kansas disorganizers.

The proceedings in question would amount to nothing more than a contemptible farce, did we not know that they are intended for mischief, and that the mischief-makers are dispersed over a much larger area than that of Kansas Territory. It is thought that the design of this Lecompton Regency is to stifle the Legislature and the popular voice of Kansas upon the main issue, in exciting a general squabble among all parties in the Territory upon the local question of jurisdiction. It is further supposed that this regency, through this cloud of smoke and dust, will push off to Washington and attempt to hurry through the admission of Kansas upon the basis of their pro-slavery constitution, in advance of the meeting of the Territorial Legislature.

We are glad to learn, however, that Governor Walker has been appealed to, to convene an extra session of the Legislature to meet this contingency; and, for the sake of peace in Kansas, we hope that the next news will be that an extra session has been ordered. Otherwise these Lecompton philosophers might be permitted freely to run to the end of their rope, inasmuch as the admission of Kansas into the Union as a State is a thing which cannot be done, except by act of Congress. But, for the sake of law and order in the Territory, it is desirable that this Lecompton regency should be dealt with promptly and efficiently by the regular authorities, federal and local.

The party of the Topeka constitution some time ago, in an irregular attempt to set up their peculiar government, were dispersed by the United States troops, and if a milder process should prove inadequate against any overt act of this Lecompton regency, the dragoons should be again called into requisition. In the meantime, we have no fear of the result at Washington. We have a sagacious and reliable President at the head of affairs, and his just and honest Kansas policy will command a majority in both branches of Congress, which no faction of sectional disorganizers can shake. We have no apprehensions, therefore, that Kansas will be admitted into the Union upon the basis of any constitution which shall not have received the endorsement of the people of Kansas. We have no fears of the ultimate issue of this Lecompton movement. It will fail. The parties interested in it cannot entertain a serious hope of its success. We presume that their objects are agitation, sectional discord, and a Southern ultra sectional rebellion. We believe that their immediate purpose is to cast the firebrand into Congress upon which our Southern fire-eaters have resolved to cut loose from the administration, and to set up a sectional party on their own account for the next Presidency.

It is impossible to believe that these Lecompton proceedings are solely the fruits of a reckless determination of the members of the Convention to secure the spoils and plunder of the new State, at all hazards. They are, undoubtedly, in hot pursuit of the spoils; but the wireworkers, we fear, are behind the scenes in Virginia, South Carolina and Mississippi. Mr. Calhoun and his regency, we dare say, are as much the instruments employed by the Southern fire-eaters in this Kansas game for the succession, as Messrs. Lane and Robinson have been the tools of the Seward anti-slavery party. The Lecompton Convention has done its work. It cannot be ratified; but it may still accomplish its ends in working out the secession of the fire-eaters from the administration and the conservative democracy. Very well. Our only fears are that there may be serious trouble in Kansas from this Lecompton regency; for we have no doubt that very short work will be made at Washington of this unruly Lecompton constitution. Let them send it along.

The Foreign Policy and the Foreign Ministers. We notice paragraphs going the rounds of certain journals, to the effect that such and such changes have been made in the foreign representation of the country; that Mr. So and So has received the appointment to Paris, and Mr. So and So to Madrid; that this or that post in the diplomatic service of the United States has at length been filled up, &c., &c., &c. What-ever basis these statements may rest on, our information leads us to disbelieve that any changes have yet been effected or agreed upon in the diplomatic service, or that any politician has received an offer of any foreign embassy which is now filled.

Mr. Pierce made swift haste to fill up the list of his foreign appointments; sent abroad his representatives in a hurry, and had very little but discomfort from his foreign policy from that time out. Mr. Buchanan resolved to pursue a more deliberate course. As the interests of the country did not seem imperatively to demand any immediate change in our foreign representation, he determined to leave our representatives where they are for the first year of his administration. At the close of the year, or rather, at the meeting of Congress, he will be prepared with a new list of ministers, whose names will be submitted to the Senate as soon as they are selected. By that time, it is confidently presumed, all of Mr. Pierce's nominees will have placed their resignations in the hands of the President, and thus relieved him from the ungracious portion of his task. By that time, too, the government will have had ample leisure to take a deliberate and comprehensive view of the relations between the United States and the foreign world, and to decide upon a line of foreign policy which shall be worthy of the nation and of its President.

This cautious plan will thus enable Mr. Buchanan to fill the foreign legations without discourtesy to their present occupants; to subject no one to the humiliation of a rejection by the Senate after departure; and to send abroad every man with full and well considered instructions, and a political travelling map, so to speak, from which he need never deviate.

It need hardly be said that the policy on which the administration have resolved, so far as our foreign affairs are concerned, has cost much anxious thought and severe study. Happily, the two magistrates on whom it devolved to determine the many delicate questions which presented themselves—Mr. Buchanan, and Mr. Case—are both, by their age, their extensive experience, and their thorough acquaintance with Europe, both in a social and political point of view, well adapted to grapple with such problems. They were not left, as Mr. Marcy was, to deal with the most intricate questions of diplomacy with the unaided light of native shrewdness; they could bring to bear the ripe results of more than a quarter of a century's schooling among the most astute politicians of Europe. And it is saying little in their favor when it is added that the policy which will be matured when the foreign ministers are appointed will be of a bolder, firmer, and more consistent character than any that we have known since the days of General Jackson. It will compare very favorably with the vacillating foreign policy of Mr. Pierce, the imbecility of Mr. Fillmore and the inert course of other recent Presidents.

As might have been expected, the germ of the foreign policy of the new administration may be found in the now famous document known as the Ostend Manifesto. An error has prevailed in many minds with regard to this document, which, by a singular perversion of its spirit has been set down as a warlike performance; while, in point of fact, it is expressly designed to obviate the necessity of a future recurrence to hostilities. The error arose through the insidious contrivance of the late Mr. Marcy, who, seeing in the manifesto an opportunity of killing off his most formidable rival for the Presidency, gave to the world a document which was intended and ought to have been reserved for the most secret pigeon-hole of the Department of State; and, not content with this, accompanied it by a despatch tending to create the impression—which Mr. Marcy knew better than to share—that it was calculated, if acted upon, to embroil this country in hostilities with foreign nations. The trick succeeded well enough to frighten a good many people; there are some, no doubt, who will still feel a thrill of alarm on being told that the sentiments and doctrines of the Ostend manifesto are likely to be the leading principles of the foreign policy of Mr. Buchanan's administration. There is, however, no ground for alarm. Those principles are susceptible of a very peaceful vindication; to plunge this country into hostilities, on any other ground than the absolute defence of our territory, would not be a likely act for men of the experience of the President and Foreign Secretary, and the very timidity may rest assured that they will not.

Pursuing, however, a truly American policy, and pursuing it consistently throughout his administration, Mr. Buchanan is likely to make the country more esteemed and respected abroad than has been the case since the time of Gen. Jackson, and to win for himself the same credit which that official won from his administration of our foreign affairs.

WALL STREET ALIVE AGAIN.—The stock-jobbers of Wall street are getting crazy again. Stocks are going up like rockets, and speculators are making money like dirt. It is said that half a dozen of these adventurers have each made \$100,000 in differences in the last week. The good time is coming again. Satan, the great gambler from the "lower deep," never forsakes his own.

THE HEIGHT OF ABSURDITY.—The New York banks remaining in a state of dishonor and suspension with nearly \$20,000,000 of specie in their vaults.

THE NEWSPAPERS AND THE CHARTER ELECTION.

The daily journals of this city are as many as separate institutions, and the position which they take on any approaching event sometimes indicates, though not always, the state of the vote on an election. After a good deal of trouble we have made out a table containing the city circulation of the various daily journals, arranged according to their political leanings, either for or against Fernando Wood, in the approaching election for Mayor. Here they are:—

CITY CIRCULATION OF THE DAILY JOURNALS OPPOSED TO FERNANDO WOOD.

Tribune, republican, nigger worshiper.....	15,500
Times, republican, stock jobbing, anything.....	16,000
Express, Know Nothing, nigger driver.....	5,500
Courier and Enquirer, anything.....	4,500
Commercial Advertiser, old fogey.....	2,500
Evening Post, nigger worshiper.....	2,500
Aggregate circulation against Wood.....	46,100

CIRCULATION OF THE DAILY JOURNALS FAVOR OF FERNANDO WOOD.

New York Herald, independent.....	70,000
Journal of Commerce, do.....	5,500
News, democratic.....	4,000
Mirror.....	1,200
Day Book.....	3,000
Aggregate in favor of Wood.....	84,000

By this statement it would appear that those journals which are in favor of Fernando Wood have nearly double the city circulation of the journals opposed to him. There is a great difference, however, in the tone of the two classes of papers. The four or five that are favorable to Mr. Wood conduct the contest with great propriety, decency and decorum, with the exception of one, which is a little noisy and dirty in the chops; we mean the *News*, and perhaps the *Day Book*, which is so fond of the nigger that it is always publishing long philosophical articles on his origin, his race, his blood, the form of his brain, the shape of his foot, and the vigor of his limbs. The other five or six journals which are opposed to Wood, with the exception of one or two old fogies, are exceedingly violent, incoherent, vindictive, vulgar, ungentlemanly, savage, malicious, personal, vituperative—calling every one that differs with them liar and scoundrel.

If the variation in the circulation of these two classes of journals indicates that this metropolis will sustain Wood for the Mayorality, we are more disposed to think that the tone of both tends still stronger to the same result. None but short boys, ruffians, pugilists, live rabbits, rowdies and bowery boys can read the violent language and vindictive ruffianism of the *Tribune*, *Times*, *Express* and *Courier* without being disgusted to the innermost recesses of the soul. Such journalism is probably the principal element in sustaining Fernando Wood among the decent and respectable portions of the city.

THE CITY VOTE.—By the census of 1855 there were found to be about 86,000 legal voters in this metropolis, and since that time they have probably increased to 90,000. In the last Presidential election a vote of about 80,000 was taken; but the State election last month exhibited a falling off of a little over 20,000, the returns showing a vote of but 59,000. A good deal of conjecture is formed as to what the vote may be in the approaching charter election. We don't think it will fall below 60,000; but if the opposition should stir up an excitement next week, it may reach 70,000, or at least 65,000. Of this vote, according to all appearances, Fernando Wood will probably poll 40,000, if not more. Among the great mass of the democracy there is less antagonism to him now than there ever was, and we believe he is stronger among the mercantile class. Some of the leaders of the democracy indicate opposition, but we don't think it will amount to much.

GEORGE SANDERS IN KANSAS.—It appears that George Sanders is out in Kansas, stirring up the boiling pot of the nigger agitation there, when he should be attending to the duties of his office of Navy Agent here. For the last ten years, in or out of office, at home or abroad, the absorbing business of Sanders has been to concoct red republican revolutions and filibustering forays, and to make new Presidents. His red republican caucuses and festivals with Kosuth, Ledru Rollin and such, at London, while holding the office there of United States Consul, had more to do with his rejection by the Senate than his Presidential philippics against "the old fogies," though he may not believe it. We admonish him, therefore, to stick to his navy agency, at least until the Senate shall have acted upon his case, for if, when they reach it, they find him off in Kansas or Minnesota they may black ball him again. That's all.

A HUNTING EXCURSION ROUND TOWN.—It seems that A. Oakley Hall has been hunting round town for the last three weeks for an available candidate for the Mayorality. He has had a shot at several birds of democratic plumage, but they escaped him on the wing, without the ruffle of a feather. Now, we understand that, with his setters and pointers, he is beating about the old hen roost of Tammany Hall to see if he can't pick off some old rooster from his perch. Very well. Let him persevere. We have no doubt that there are plenty of loose materials around the parlous of the Old Wigwam and the Pewter Mug from which he may find "a good enough Morgan till after the election." Why stay stick at one candidate? Why not try two or three, or half a dozen? The more the merrier, and the result will be all the same.

STAYING AT HOME.—During the recent State elections nearly 400,000 voters who came out in 1856 have remained at home in 1857. The revulsion and other causes have diminished said political excitement.

Naval Intelligence.

The United States steamer *Witch*, Lieut. W. R. Lovell commanding, arrived here yesterday from Portsmouth, N. H., and will sail for Washington via Norfolk on Thursday next.

The United States steam frigate *Saxeham*, Commander Smith, was at Sperry's Oct. 24, and would sail in a few days to coal at Genoa, and thence proceed to the Mediterranean. The *Saxeham* was taken on board the U. S. receiving ship *North Carolina*, but were afterwards allowed to return on shore until they are paid off. The *Saxeham* was quartered at the marine barracks, in the navy yard. The terms of service of nearly all the men have expired, and they will be paid off in a few days. They are said to manifest a very strong feeling towards the captain of the *Saxeham*, who, they say, treated them very badly in regard to "grub," not giving them the usual government allowance of "salt horse"—as they so significantly term our navy ration of salt beef—potatoes rotten, and not fit to eat, &c., and that had not been for Commodore Merwin and his other officers, Lieuts. Baker and Smith, they would have faced still worse. The marines, under the command of Lieut. Baker, number as follows:—Three sergeants, four corporals, two musicians and twenty-eight privates. The balance of the guard, numbering some forty odd men, were discharged in San Francisco at their own request, while a number of them departed before the ship went out of commission.

The sailors under the command of Commodore Merwin and Lieut. Smith are only a portion of the ship's company of the independence, the balance having been discharged and discharged at San Francisco and other ports.

The United States ship *Albatross* has dropped down in Hampton Roads. She sails for Hayti.

THE LATEST NEWS.

THE MORMON WAR.

Important Despatches from the Army for Utah—Brigham Young's Declaration of War and his Reasons Therefor.

WASHINGTON, Nov. 17, 1857.

Col. Johnston's letter, together with Col. Alexander's, was received at the War Department to-day, confirming the destruction of the supply trains; also a letter and proclamation from Brigham Young, which I herewith send you, and Col. Alexander's reply.

Col. Alexander was within thirty miles of Fort Bridger, which place is occupied by Mormon troops, when he received the following letter from Brigham Young, through the commander of the "Nauvoo Legion":—

GOVERNOR'S OFFICE, UTAH TERRITORY,  
GREAT SALT LAKE CITY, Sept. 29, 1857.

TO THE OFFICER COMMANDING THE FORCES NOW INVASING UTAH TERRITORY.

Sir:—By reference to the act of Congress passed Sept. 9, 1850, organizing the Territory of Utah, you will find the following:—

Sec. 2. And be it further enacted, that the executive power and authority in and over said Territory of Utah shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory; he shall be Commander-in-chief of the militia thereof, &c., &c.

I am still the Governor and Superintendent of Indian Affairs for the Territory, no successor having been appointed and qualified, as provided by law, nor have I been removed by the President of the United States. By virtue of the authority thus vested in me, I have issued and forwarded to you a copy of my proclamation forbidding the entrance of armed forces into the Territory. This you have disregarded. I now further direct that you retire forthwith from the Territory, by the same route you entered. Should you deem this impracticable, and prefer to remain in the vicinity of your present encampment—Black Fork on Green River—you can do so in peace and unmolested, on condition that you deposit your arms and ammunition with Lewis Robinson, Quartermaster General of the Territory, and leave in the spring as soon as the condition of the roads will permit you to march; and should you fall short of provisions, they can be furnished you upon making the proper application thereto.

Gen. D. H. Wells will forward this and receive any communication you may have to make. Very respectfully,  
BRIGHAM YOUNG,  
Governor and Superintendent of Indian Affairs.

The following is the proclamation referred to by Brigham Young:—

PROCLAMATION BY THE GOVERNOR.

CITIZENS OF UTAH:—We are invaded by a hostile force, who are evidently assailing us to accomplish our overthrow and destruction. For the last twenty-five years we have trusted ourselves to the government, from constables and justices, to judges, Governors and Presidents, only to be scorned, held in derision, insulted and betrayed. Our houses have been plundered and then burned, our fields laid waste, our principal men butchered while under the pledged faith of the government for their safety, and our families driven from their homes to find that shelter in the barren wilderness and that protection among hostile savages which were denied them in the boasted abodes of Christianity and civilization.

The constitution of our common country guarantees unto us all that we do now or have ever claimed. If the constitutional rights which pertain unto us as American citizens were extended to Utah according to the spirit and meaning thereof, and fairly and impartially administered, it is all that we could ask—all that we have ever asked.

Our opponents have aimed themselves of prejudice existing against us, because of our religious faith, to send out a formidable host to accomplish our destruction. We have had no privilege nor opportunity of defending ourselves from the false, foul and unjust aspersions against us before the nation. The government has not condescended to cause an investigating committee or other person to be sent to inquire into and ascertain the truth as is customary in such cases. We know those aspersions to be false; but that avails us nothing. We are condemned unheard, and forced to an issue with an armed mercenary mob, which has been sent against us at the instigation of anonymous letter writers, selected to father the base, slanderous falsehoods which they have given to the public—of corrupt officials, who have brought false accusations against us to screen themselves in their own infamy, and of hiring priests and howling editors, who prostitute the truth for filthy lucre's sake.

The issue which has thus been forced upon us compels us to resort to the great first law of self preservation, and stand in our own defence—a right guaranteed unto us by the genius of the institutions of our country, and upon which the government is based. Our duty to ourselves, to our families, requires us not to tamely submit to be driven and slain without an attempt to preserve ourselves. Our duty to our country, our holy religion, our God, to freedom and liberty, requires that we should not quietly stand still and see those fetters forging around us which are calculated to enslave and bring us in subjection to an unlawful military despotism, such as can only emanate, in a country of constitutional law, from usurpation, tyranny and oppression.

Therefore I, Brigham Young, Governor and Superintendent of Indian Affairs for the Territory of Utah, in the name of the people of the United States, in the Territory of Utah, forbid,

First—All armed forces of every description from coming into this Territory, under any pretence whatever.

Second—That all the forces in said Territory hold themselves in readiness to march at a moment's notice to repel any and all such invasion.

Third—Martial law is hereby declared to exist in this Territory from and after the publication of this proclamation, and no person shall be allowed to pass or re-pass into or through or from this Territory without a permit from the proper officer.

Given under my hand and seal, at Great Salt Lake City, Territory of Utah, this fifteenth day of September, A. D. eighteen hundred and fifty-seven, and of the Independence of the United States of America the eighty-second.

BRIGHAM YOUNG.

The following is Colonel Alexander's reply to Brigham Young:—

HEADQUARTERS TENTH REGIMENT OF INFANTRY,  
CAMP WINFIELD, UTAH TERRITORY,  
October 2, 1857.

BRIGHAM YOUNG, Esq., GOVERNOR OF UTAH TERRITORY.

Sir:—I have the honor to acknowledge the receipt of your communication of Sept. 29, 1857, with two copies of a proclamation and one of the laws of Utah, and have given it an attentive consideration. I am at present the senior and commanding officer of the troops of the United States at this point, and I will submit your letter to the General commanding as he arrives here.

In the meantime, I have only to say that these troops are here by the order of the President of the United States, and their further movements and operations will depend entirely upon orders issued by competent military authority.

Very respectfully,  
E. B. ALEXANDER.

Among the documents is a letter from Col. Johnston, dated from the camp on the Three Wings of the Sweet Water, addressed to Adjutant General McDowell, New York, in which he confirms the burning of the contractor's trains by the Mormons. He says the Governor's escort is four days march behind him, with two companies of dragoons. He knows of no reason why Col. Alexander should attempt to reach Salt Lake by Bear River, excepting from the fear that the Mormons have burned the great on the shorter route. He adds that if he could communicate with Col. Alexander I would direct him to take up a good position for the winter at Ham's Fork. The road is best between this and Ham's Fork with companies of Mormons, so it is doubtful if I shall be able to communicate with Col. A.

It is supposed at the War Department that the troops are all in good condition, as nothing to the contrary is said in the despatches.

On the receipt of the above despatches a special meeting of the Cabinet was immediately called, and the subject has transpired with reference to their deliberations.

Resumption of Specie Payment in New Orleans.

NEW ORLEANS, Nov. 17, 1857.

All our banks have resumed specie payment in full.

Death of Andrew White, of Albany.

ALBANY, Nov. 17, 1857.

Andrew White, Esquire, Vice President of the Commercial Bank, and one of the original proprietors of the *Evening Journal*, died here this morning.

The Augusta at Savannah.

SAVANNAH, Nov. 17, 1857.

The United States mail steamship *Augusta*, from New York, arrived here this morning.

The Marion at Charleston.

CHARLESTON, Nov. 17, 1857.

The United States mail steamship *Marion*, Captain Foster, from New York, arrived here at eight o'clock this morning.

THE TREATY WITH NICARAGUA.

Formal Reception of Senator Yrissari—The Points of the Treaty.

WASHINGTON, Nov. 17, 1857.

Mr. Yrissari was formally presented to the President of the United States at one o'clock to-day, and received as Minister from Nicaragua, after which the treaty negotiated was signed by himself and Secretary Cass. The treaty provides:—

First—For the maintenance of two free ports, one at each end of the Transit line.

Secondly—The United States guarantees the protection and neutrality of the Transit, but names no particular company.

Thirdly—The Transit is to be open to all nations on equal terms.

Fourthly—The United States reserve the right to transport the mails in their own vessels when they find it convenient so to do.

Fifthly—Provides, in the usual terms, for friendship, commerce and navigation between the two countries.